

### **REMARKS**

Applicants appreciate the thorough review of the present application as indicated by the Office Action. Applicants submit that the claims are patentable over the cited art for at least the reasons discussed below. The claims are also patentable for the reasons discussed in Applicants' previous amendment. However, to facilitate the Examiner's reconsideration of this case, only the newly raised issues will be addressed below. To assure that this submission is fully responsive to the Office Action, Applicants' previous amendment is incorporated herein by reference in its entirety. Applicants request passing of this application to issuance in light of the comments below and in the previous amendment.

#### **Independent Claims 15, 20 and 22 Are Patentable Over the Cited Art:**

Independent Claims 15, 20 and 22 and dependent Claims 32-37 stand rejected under 35 U.S.C. § 103 over United States Patent No. 6,202,206 to Dean et al. ("Dean") in view of United States Patent No. 5,867,713 to Shrader et al. ("Shrader") in view of United States Patent Application No. 52003/0110241 to Cheng et al. ("Cheng"). Office Action, p. 3. The remaining dependent claims stand rejected as obvious over Dean, Shrader and Cheng in combination with one or more of United States Patent No. 5,996,012 to Jarriel ("Jarriel") and United States Patent No. 6,611,498 to Baker et al. ("Baker").

Independent method Claim 15 recites:

A method for distribution of application programs to a **target on-demand server** on a network comprising the following executed on a centralized network management server coupled to the network:

providing an application program to be distributed to the network management server;

specifying a source directory and a target directory for distribution of the application program;

**preparing a file packet associated with the application program and including a segment configured to initiate registration operations for the application program at the target on-demand server; and**

**distributing the file packet to the target on-demand server to make the application program available for use by a user at a client.**

Independent system and computer program product Claims 20 and 22 contain corresponding

recitations. Applicants submit that at least the highlighted portions of Claim 15 are not disclosed or suggested by the cited prior art as the addition of the Cheng reference to the rejections fails to overcome the deficiencies of the rejection as discussed in the Applicants' previous amendment.

As is clear from the highlighted recitations of Claim 15, the claimed embodiments of Claim 15 are directed to distribution of application programs from a network management computer to on-demand server(s) and to registering the application programs at the on-demand server(s) so that they will be available to users accessing the programs from client computers.

The Office Action acknowledges that the primary reference, Dean, does not teach, among other things, "including a segment configured to initiate registration operations for the application program at the target station in the file packet." Office Action, p. 3. However, the Office Action asserts that Cheng provides such teachings. The portion of Cheng relied on for such a teaching, in its entirety, reads as follows:

In each case, the user logs in 201 to the service provider computer 102 with the client application 104 in a conventional manner, providing a user ID, a password, and the like. This information may be manually entered by the user via the client application 104, or more preferably, stored within the client application 104, and automatically provided once a connection between the client computer 101 and service provider computer 102 is established. If the user is not registered, then the service provider computer 102 in conjunction with inputs by the user, registers 202 the new user of the system. FIG. 3 illustrates a basic user interface 300 for registering the user. The user identifies himself or herself by name 301 and selects a password 303. The user may also provide a mailing address 305 and a payment mechanism such as a credit card data 311, including a credit card number and expiration date, to pay for the services and for any for-fee software updates that the user may access in the course of using the service provided by the service provider computer 102. An email address 307 is entered to allow the service provider to contact the user by email. The user may select check box 309 to indicate that they want to be notified by email when new software updates are available for software products installed on their computer. When the registration process 202 is completed, the service provider computer 102 returns a unique registration number to the user. This number may be stored on the client computer 101 and used during subsequent logins to identify the user to the service provider computer 102.

Applicants are unclear what is relied on as teaching either the file packet, the segment or configured to initiate registration operations in this cited portion of Cheng. At most, the cited portion of Cheng seems to suggest that a user at a client may provide registration information to a service provider computer 102 to set-up access to an application at the service provider computer. The service provider computer may then send a "registration number to the user." In contrast, Claim 15 recites distributing a file packet from a centralized network management server to a target on-demand server to make an application program available for use by a user at a client. Thus, the file packet is sent from the network management server to the target on-demand server, not between a client and a service provider computer. Furthermore, the file packet includes a segment configured to initiate registration operations for the application program at the target on-demand server. Thus, an exchange, not involving a client, to enable availability of a program at a target on-demand server is recited in Claim 15. Nothing in the cited portion of Cheng discloses or suggests any such operations. In contrast, Cheng assumes the program is already available at the service provider computer (on-demand server in Examiner's rejection?) and user access is controlled for security purposes by the on-demand server. Accordingly, the rejections of independent Claims 15, 20 and 22 should be withdrawn for at least these reasons.

**The Dependent Claims:**

Each of the dependent claims is patentable at least based on the patentability of the independent claim from which it depends as discussed above. In addition, various of the dependent claims are separately patentable as discussed in Applicants' previous amendment, which is incorporated by reference above.

With respect to Claims 32-35, the basis for the Examiner's assertion that these recitations are disclosed by Cheng is unclear given that only a paragraph citation is supplied with no explanation as to how the Examiner believes these recitations are disclosed or suggested by the cited portions of Cheng. For example, Claim 34 recites inclusion of "a selected version of an application launcher in the file packet." Applicants can find nothing in the cited portions of Cheng that appears to even remotely relate to an application launcher

program, distinct from the application program, that is sent from a centralized network management server to a target on-demand server. As described in the present application:

as used herein, the term "application launcher program" may refer to the entire program provided by a software vendor or to merely a portion thereof distributed to a client to perform particular operations. For example, the application launcher program distributed to initially populate the user desktop preferably does not include the code associated with the underlying application program and obtaining preferences which may only be distributed to the client later when execution of the application program is requested. The application launcher program distributed to populate the user desktop may only include a URL and an associated ICON and, possibly, code to allow obtaining of user identification and password information. Memory usage on the client stations may thereby be limited.

Specification, p. 22, line 31 to p. 23, line 10. As further described in the present application:

the application launcher programs may be applets which display the icon which are associated with a web browser Universal Resource Locator (URL) which points to the location of the applet to be executed. Upon selection of the icon displayed by the application launcher, the selected application is "launched" by requesting the URL of the application from the on-demand server. Such requests may be made utilizing conventional Hyper-Text Transfer Protocol (HTTP) communications or other suitable protocols.

Specification, p. 15, line 8-15. Applicants can find no disclosure of such an application launcher program in the cited portions of Cheng and, accordingly, Claim 34 is separately patentable for at least these reasons.

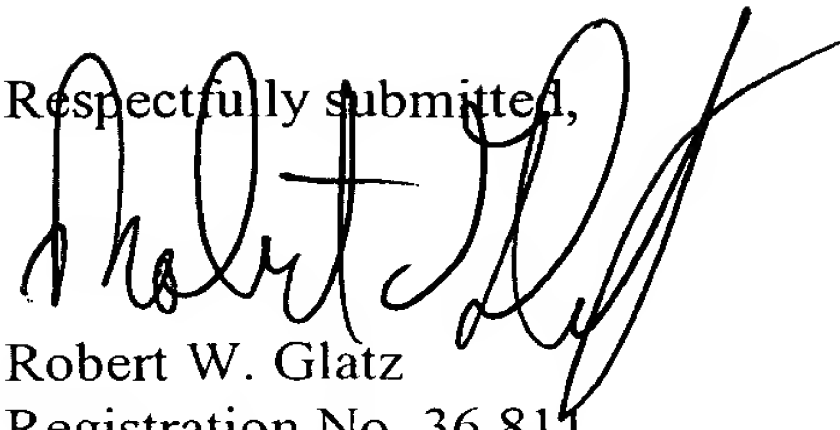
With respect to the remaining rejections of dependent Claims 32-33 and 35-37, if the rejections are not withdrawn, Applicants request an explanation of how the recitations of these claims are disclosed by Cheng so that Applicants can fully respond to the rejections.

### **CONCLUSION**

Applicants respectfully submit that, for the reasons discussed above, the references cited in the present rejections do not disclose or suggest the present invention as claimed. Accordingly, Applicants respectfully request allowance of all the pending claims and passing this application to issue.

In re: Cox et al.  
Serial No. 09/870,608  
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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert W. Glatz', written over the typed name.

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